

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

MELODIE MEYER,  
Plaintiff,

v.

ONEWEST BANK F.S.B., et al.,  
Defendants.

Case No. 14-cv-02259-VC

**ORDER GRANTING MOTION TO  
TRANSFER**

Re: Dkt. Nos. 25, 26, 29, 30 and 53

On May 15, 2014, plaintiff Melodie Meyer brought a putative class action lawsuit against defendants One West Bank, F.S.B., and American Security Insurance Company. Meyer's suit challenges the placement of lender-placed flood insurance on her property. Over ten months prior, plaintiff Peter Maloney filed a similar putative class action against defendant One West Bank in the Central District of California. Meyer is an absent class member in the putative class action brought by Maloney.

One West Bank has moved to transfer the Meyer action to the Central District of California. Because the *Maloney* case was filed first, and because the parties and issues are similar, the motion to transfer is granted pursuant to the "first to file" rule. *See Schwartz v. Frito-Lay N. Am.*, 2012 WL 8147135, \*3 (N.D. Cal. Sept. 12, 2012).

Maloney's motion to intervene is denied as moot, as is the parties' stipulation and proposed order regarding ADR.

The clerk is directed to transfer the matter to the Central District of California and to close the file.

**IT IS SO ORDERED.**

1 Dated: July 28, 2014



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VINCE CHHABRIA  
United States District Judge

United States District Court  
Northern District of California

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